

APPEAL NO. 022716  
FILED DECEMBER 12, 2002

This appeal arises pursuant to the Texas Workers' Compensation Act, TEX. LAB. CODE ANN. § 401.001 *et seq.* (1989 Act). A contested case hearing was held on October 2, 2002. With respect to the issues before her, the hearing officer determined that the respondent (claimant) sustained a compensable repetitive trauma injury with a date of injury of \_\_\_\_\_, and that she had disability as a result of her compensable injury, from February 22, 2002, through the date of the hearing. In its appeal, the appellant (carrier) argues that the hearing officer's injury and disability determinations are against the great weight of the evidence. In her response to the appeal, the claimant urges affirmance.

DECISION

Affirmed.

The hearing officer did not err in determining that the claimant sustained a compensable repetitive trauma injury with a date of injury of \_\_\_\_\_. That determination involved a question of fact for the hearing officer to resolve. The hearing officer is the sole judge of the weight and credibility of the evidence. Section 410.165(a). As the trier of fact, the hearing officer resolves the conflicts and inconsistencies in the evidence and decides what facts the evidence has established. Texas Employers Ins. Ass'n v. Campos, 666 S.W.2d 286 (Tex. App.-Houston [14th Dist.] 1984, no writ). In her decision, the hearing officer specifically noted that the claimant's testimony was credible and that the medical evidence supported the claimant's testimony that the repetitive activities she performed on the assembly line for the employer, a computer manufacturer, caused a repetitive trauma injury. The claimant testified, and the medical records reflect, that the claimant's job on the assembly line required constant use of an "electric gun," which she used to insert screws and assemble computer parts. In addition, the claimant testified that she normally worked 8 hours per day, but that in the period from March to June or July 2001, she was working 12-hour shifts. The hearing officer was acting within her province as the fact finder in finding that the claimant sustained her burden of proving that she sustained a compensable repetitive trauma injury. Nothing in our review of the record reveals that the hearing officer's injury determination is so against the great weight and preponderance of the evidence as to be clearly wrong or manifestly unjust. Thus, no sound basis exists for us to reverse the challenged determinations on appeal. Cain v. Bain, 709 S.W.2d 175 (Tex. 1986).

The success of the carrier's challenge to the disability determination is dependent upon the success of its argument that the claimant did not sustain a compensable injury. Given our affirmance of the determination that the claimant sustained a compensable injury, we likewise affirm the determination that the claimant had disability from February 22, 2002, through the date of the hearing.

The hearing officer's decision and order are affirmed.

The true corporate name of the insurance carrier is **GREAT AMERICAN ALLIANCE INSURANCE COMPANY** and the name and address of its registered agent for service of process is

**CT CORPORATION SYSTEM  
350 NORTH ST. PAUL STREET  
DALLAS, TEXAS 75201.**

---

Elaine M. Chaney  
Appeals Judge

CONCUR:

---

Susan M. Kelley  
Appeals Judge

---

Gary L. Kilgore  
Appeals Judge